21 Khatedar—Chavadimane Pujara Veerappa, K, No. 41, extent 50×12=300 square yards, assessment Re. 0-10-0. Banjari, the extent now required is 600 square yards, assessed nil, bounded by East K. No. 40, West by back yard of Sahukar Rudrappa, North by Road leading to Kumbarakeri and South by Mcat.

5260

No. L. 1555—V. P. 6-47-6, dated 25th July 1947.

Whereas it appears to the Government of His Highness the Maharaja of Mysore, that the undermentioned lands situated in Hittala Village, Shikaripur Taluk, Shimoga District, are needed for a public purpose, to wit, for the use of manure pits; notice to that effect is hereby given to all whom it may concern in accordance with the provisions of Section 4 (1) of the Land Acquisition Act of 1894, as amended by the Land Acquisition Amendment Act No I of 1927, and the Government hereby authorise the Deputy Commissioner, Shimoga District, and his subordinates and also the Assistant Commissioner, Sagar Sub-Division, to exercise the powers conferred by Section 4 (2) of the Act Under sub-Section (4) of Section 17 of the Land Acquisition Act of 1894, as amended by Act, No. I of 1927, the Government direct that, in view of the urgency of the case, the provisions of Section 5-A of the Act shall not apply to the acquisition of the lands noted below.

Shimoga District, Shikarpur Taluk, Anjanapur Hobli, Hittala Village.

1. Khatedar.—Manjappa bin Hucharayappa, Shanbhouge, K. No. 135, extent L 20×B. 13=86 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required is L. 20×B. 13=86 2/3 Sqr. yds., assessed at Re. 0-8-0, bounded East by S. No. 208, West by K No. 136, North by Gavatana and South S. No 209.
2. Khatedar.—Basavanahalli Bimappa, K. No. 136, extent L. 20×B, 19=126 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required L. 20×B. 19=126 2/3 Sqr. yds, assessed at 0-8-0, bounded East by K. No. 135, West by K. No. 137, North by Gavatana and South by S No. 209.
3. Khatedar.—Samanavalli, Khadar Sab, K. No. 137, extent L. 20×B. 13=86 2/3 Sqr. yds., assessment Re. 0-8 0, Banjar, the extent now required is L. 20×B. 13=is 20×13=86 2/3 Sqr. yds., assessed at Re. 0-8-0, bounded East by K. No. 136, West by K. No. 138, North by Gavatana and South by S No. 209.
4. Khatedar.—Nresa Hanumanthanna K. No. 138, extent L. 20×B. 16=106 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required is 106 2/3 Sqr. yds., assessed at Re. 0 8-0, bounded East by K. No. 137, West by K. No. 139, North by Gavatana and South by S. No. 209.
5. Khatedar.—Suragihalli Ramappa K. No. 139—a, extent L. 20×B. 16=106 2/3 Sqr yds., assessment Re. 0-8-0, Banjar, the extent now required is 106 2/3 Sqr. yds. assessed at Re. 0-8-0, bounded East by K. No. 138, West by K. No. 139—b, North by Gavatana and South by S. No. 209.
6. Khatedar.—Indwvalli Guttappa, K. No. 139—b, assessment Rs. 0-8-0, the extent L. 20×B. 11=73 1/3 Sqr. yds., assessed at Rs. 0-8-0, bounded East by K. No. 139—a, West by K. No. 140—a. North by Gavatana and South by S. No. 209.
7. Khatedar.—Hayat Ali Sab, K. No. 140—a, extent L. 20×B. 10=66 2/3 Sqr. yds., assessment Re. 0-4-0, Banjar, the extent now required is 66 2/3 Sqr. yds., assessed at Re. 0-4-0, bounded East by K. No. 139—b, West by K. No. 140—b, North by Govatana and South by S. No. 209.
8. Khatedar.—Ashumbi—Peerambi, K. No. 140—b. extent, L. 20×B. 45=300 Sqr. yds., assessment Re. 0 8-0, Banjar, the extent now required is 300 Sqr. yds., assessed at Re. 0-8-0, bounded East by K. No. 140—a, West by Gavatana, North by Gavatana and South by S No, 209.

No. L. 1556—V. P. 6-47-7, dated 25th July 1947.

Under Section 6 of the Land Acquisition Act of 1894, as amended by the Land Aqcuisition Amendment Ac No, I of 1927, the Government of His Highness the Maharaja of Mysore declare that the lands are needed for a public purpose to wit for the use of manure pitts, and under Sections 4 and 7 of the same Act, the Assistant Commissioner in charge of the Sagar Sub-Division, is appointed to perform the functions of a Deputy Commissioner under the Act and directed to take orders for the acquisition of the said lands. Under sub-section (1) of Section 17 of the Act, the Government direct that the possession of the said lands may be taken on the expiry of fifteen days from the date of publication of the notice mentioned in Section 9 (1) of the Act. A plan of the lands is kept in the Office of the Sub-Division Officer, Sagar Sub-Division, and may be inspected at any time during office hours.

Shimoga District, Shikarpur Taluk, Anjanapur Hobli, Hittala Village.

1. Khatedar.—Manjappa bin Hucharayappa, Shanbhog, K. No. 135, extent L. 20×B. 13=86 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required is L. 20×B. 13=86 2/3 Sqr. yds, assessed at Re. 0-8-0, bounded East by S. No. 208, West by K. No. 136, North by Gavatana and South by S. No. 209.
2. Khatedar —Basavanahalli Bimappa, K. No. 136, extent L. 20×B. 19=126 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required L. 20×B. 19=126 2/3 Sqr. yds. assessed at Re. 0-8-0, bounded East by K. No. 135, West by K. No. 137, North by Gavatana and South by S. No. 209.
3. Khatedar.—Samanavalli, Khadar Sab, K. No. 137, extent L. 20×B. 13=86 2/3 Sqr. yds., assessment Re. 0 8-0. Banjar, the extent now required is L. 20×B. 13=is 20×13=86 2/3 Sqr. yds. assessed at Re. 0-8-0, bounded East by K. No. 136, West by K. No. 138, North by Gavatana and South by S. No. 209.
4. Khatedar.—Nresa Hanumanthanna, K. No. 138, extent L. 20×B. 16=106 2/3 Sqr. yds., assessment Re. 0-8-0, Banjar, the extent now required is 106 2/3 Sqr. yds., assessed at Re. 0-8-0, bounded East by K. No. 137, West by K. No. 139, North by Gavatana and South by S. No. 209
5. Khatedar.—Suragihalli Ramappa, K. No. 139—a, extent L. 20×B. 16=106 2/3 Sqr. yds., assessment Re. 0-8-0. Banjar, the extent now required is 106 2/3 Sqr. yds., assessed at 0-8-0, bounded East by K. No. 138, West by K. No. 139—b, North by Gavatana and South by S. No. 209.
6. Khatedar.—Induvalli, Guttappa, K. No. 139—b, assessment Re, 0-8-0, the extent L. 20×B. 11=73 1/3 Sqr yds., Banjar, the extent now required is 73 1/3 Sqr. yds. assessed at Re. 0-8-0, bounded East by K. No 139—a, West K. No. 140—a, North by Gavatana and South by S. No. 209.
7. Khatedar.—Hayat Ali Sab, K. No. 140—a, extent L 20×B. 10=66 2/3 Sqr. yds., assessment Re. 0-4-0, Banjar, the extent now required is 66 2/3 Sqr. yds., assessed at Re. 0-4-0, bounded East by K. No. 139—b, West by K. No. 140—b, North by Gavatana and South by S. No. 209.
8. Khatedar.—Ashumbi—Peerambi, K. No. 140—b, extent L. 20×B. 45=300 Sqr. yds. assessment Re. 0-8-0, Banjar, the extent now required is 300 Sqr. yds., assessed at Re. 0-8-0, bounded East by K. No. 140—a. West by Gavatana, North by Gavatana and South by S. No. 209.

GENERAL SECRETARIAT

Dated 13th January 1948.

No. S. R. 2328—L. W. 13-47-18.—Under Section of the Mysore Labour Act, XIII of 1942, the Gove of His Highness the Maharaja of Mysore are ple publish for the general information the accompanying of the Chief Conciliator in Mysore, regarding the fa conciliation proceedings in the dispute between the Mills Labour Association and the concerned Mana (The Mysore Spinning and Manufacturing Co., L Bangalore) relating to :—

(*a*) the appointment of the Labour Officer elected labourers of the Mills from amongst the staff;

(*b*) the reinstatement of workers said to have victimised since 1942; and

(*c*) other demands as mentioned in the notice of dated 22nd November 1946.

MOHAMED ISMAIL SHERIFF, *Gl*

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE, BANGALORE.

Dated 18th December 1947.

To

The Secretary to the Government of His Highness the Maharaja of Mysore, General Department, Bangal

Sir,

No. C. C. 18—46-47. I have the honour to m following report under Section 12 (4) of the Mysore Act, relating to a dispute between the Mysore Mills Association and the concerned Management (The Spinning and Manufacturing Co., Ltd., Bangalore, de (*a*) the appointment of the Labour Officer, elected by l of the Mills from amongst the staff, (*b*) the reinstate workers said to have been victimised since 1942 and (demands (as mentioned in the Notice of Change da November 1946, copy appended and marked "A").

2. The President of the Lobour Association ga concerned Mills a Notice of Change, dated 22nd N 1946 with a long list of demands (*vide* Appendix A e The Assistant Commissioner of Labour Bangalore I wrote to the Management for their reply in respect Pemands put forth by the Labour Association. He go from the Management thus :—

"It will be found from the Notice of Change that the dem forward by the Labour Association are fantastic. They have fur sweeping and defamatory allegations against the Management th members of the Association have frequently indulged in uncon activities, Only a few days before we had a strike which has beer illegal by the Registrar of Associations. In the circumstances, we no useful purpose will be served by discussing the damands and ne with the Labour Association. We, therefore request you to treat t as a failure and send your report accordingly to the Chief Conciliat

3. As the Assistant Commissioner of Labour able to bring about an agreement between the par Commissioner of Labour in Mysore referred the cas Office for initiating conciliation proceedings under 10 (3) of the Labour Act.

The case was accordingly registered and intim both the parties was sent for hearing on 13th May 19 on 12th May 1947, the Assistant Secretary of the Association wrote to me that "their hands were full impending elections and that the case may be adjour week or so." The case had therefore to be adjourne was posted to 11th June 1947, and notices sent to bot But the case could not be taken up on that day as the declared by Government as a holiday on account of demise of the Maharaja of Jodhpur. Then, I posted for hearing on the 23rd July 1947, after intimatio parties.

4. The case was taken up on that day (23rd Jul Management was represented by Mr. D. D. Kale Superintendent of the Mills) and Mr. A. V. Andrade Assistant.) On behalf of the Labour Association, M Narasimhan, President, and Mr. N. C. Ramnavare, Se were present. The Assistant Commissioner of (Mr. Zia Mohamed), Bangalore Division, was also pres

5. To start with, there was a preliminary di that day as to the procedure to be followed in dealing several demands mentioned in the Notice of Chang Association President stated that he was not going all the demands in the Notice of Change, but wou the demands worthwhile for negotiations and discussi added that he was not pressing Demand No. (1) Labour Officer of the Mills to be elected by the lab the Mills from among the Staff), that as regards

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ment and carry on discussions and negotiations with nagement and intimate the result to this Office for proceedings. The understanding was and it was made at if an agreement was reached, there would be no r further conciliation proceedings; but if no agreement ched, the next conciliation meeting might be fixed and ed to the parties. As, in view of many other engage- n the waiting list for me, a date within one month iat day (23rd July 1947) for concluding the case would possible, both parties had no objection to a latter date date convenient to me, after one month from that day uly 1947), and as early as possible], being fixed for the nciliation meeting, if it had to be held at all, in the f no agreement being reached between the parties as a of negotiations. On this distinct understanding, and he consent of both the parties, I announced that I await the communication from the Labour Association ent as to the result of their negotiations with the ement and as to the demands selected to be pressed and then fix a convenient date for the next conciliation g if found necessary, and to intimate the parties, though e may not be within a month from that day.

Then, on 26th July 1947, the President of the Labour ation sent a letter to the Management of the Mills (copy this Office) stating thus :

e are glad that the Management have agreed to discuss our demands iew to arrive at a settlement in re to some of the issues raised in ce of Change dated the 22nd November 1946. We discussed some of some length with your Labour Officer on 26th July 1947 and in the e we are indicating these demands which might serve as a basis for ion and settlement.

request you to be good enough to let us know within about a week or the extent to which you will be able to go in respect of each one of ands indicated in the annexure."

The selected demands indicated by the Association in nexure to that letter are the following :—

mands of the Association as picked out from the Notice of Change e 22nd November 1946, to be considered by the Management."

Privilege Leave.—The existing leave rules shall be so that every worker gets a day's Privilege Leave ull pay, bonus and allowances for every ten days of out in by him in the Mills, or in other words one s leave with pay, etc. This is with a view to provide nperating his health and to attend to other calls imposed im by the society, etc.

Bonus.—A demand for three months' wages as Bonus. with a view to make provision against debts incurred workers due to depressed wages and other economic ips due to the War, etc.

Provident Fund.—A Provident Fund Scheme for the of all workers, the rate of contribution being seven lf per cent and the other rules being those which were ed by the Standing Committee of the Tripartite Labour onee, Government of India, when Dr. B. R. Ambedkar e Labour Member. This is in addition to the existing Gratuity Fund Scheme. In this context if the ement have any other suggestions to make the Associa- prepared to discuss.

Sick Leave.—At present there is no provision for sick vith pay. With a view to provide for this, the Associa- mands one month's sick leave with pay, etc., in a year production of medical certificate from properly consti- uthority.

Minimum Wages.—In the Notice of Change a um wage of Re. 1 (Rupee One only) has been demanded. his is a general issue we suggest that the Management general increment of at least 50 per cent in the wages ng). This is with a view to make up for the extremely vel of wages at present prevalent; by this the wage level g sought to be brought on a par with those prevalent in oncerns.

Dearness Allowance.—Dearness Allowance to be given rate of annas 3 (Annas Three) per point of increase in st of living index over that in 1939. This demand is easonable in view of the very recent recommendation of *ahadur* Venkataramanih in the neighbouring Province dras.

Reinstatement of dismissed workers (a).—Nearly about vorkers were dismissed for participating in the 1942 oances. Quite a lot of them have been forced to suffer sufferings for no fault of their own. Their participa- these aforesaid movements was due to the general tense al atmosphere; the tense atmosphere was so gripping affected all sections of the population in India. Hence ld look rather unjust to pick out some and dismiss them. n view of the changed political situation it is requested ne Management reinstate those dismissed workers. In Management to the award of *Rao Bahadur* Venkataramaniah in Madras Presidency with reference to this particular issue of re-instatement of dismissed workers.

(*b*) Nearly about 20 workers were dismissed during the strike that took place in November 1946. Most of those that have been dismissed are all responsible officials of the Association. And all of them were mainly responsible for terminating that strike so early. And this particular dismissal has created a feeling of insecurity amongst the mass of workers. With a view to restore confidence it is requested that some of them at least be reinstated.

Procedure for dismissal, etc.—It is suggested that all punishments, etc., be dealt with by a tribunal consisting of representatives from the Government Employer and Employees. In the interim we demand that during enquiries (conducted before dismissing or suspending an operative) the Association representatives be allowed to represent the workers. A suitable change in the Standing Orders should be introduced."

8. The Management in their reply dated 27th August 1947 to the Association stated thus :—

"The eight demands now put forward by your Association out of the several demands mentioned in the notice of change dated 22nd November 1946, have been considered and the Management propose to make the following offer":—

Privilege Leave.—The Management is prepared to extend the quantum of privilege leave from 7 days to 10 days on the same conditions as stated in the Arbitration Award of 19th November 1943 so that the proposed rule regarding privilege leave will read as follows :—

"Every worker on the muster after putting in two years' service will become eligible for leave with pay, for a period not exceeding 10 days in a year, provided he has put in an attendance of at least 270 days during the year in respect of which leave is asked. Such leave will be granted on prior application by the worker provided his services can be spared. Such leave however will not be granted in respect of days on which Mills are closed according to the notice posted on the Notice Board as required by the Mysore Factories Act. When leave is refused on the ground that he cannot be spared, such leave can be accumulated up to a maximum of 30 days."

This concession will be given provided the Association is willing to enter into an agreement with the Management with drawing all other demands.

9. Then the Association President in his letter dated 15th November 1947, to the Management wrote stating :—

"It is impossible to agree to your suggestion; the concession proposed to be granted falls far short of our demands or expectation.

We regret that no agreement is possible on the basis of your letter."

10. The Association President wrote also to this Office, on the 15th November 1947, saying :—

"We regret to report that no agreement has been possible between us and the Management. the reason being that the Management have not come forward with substantial concessions. It is the considered opinion of the executive committee and other important workers that what is granted is paltry, falls far short of our expectations and such as not registering substantial increase in the workers' earnings.

In this circumstance, we request you to kindly fix up an early date for conciliation."

11. Upon that, I selected an early and suitable date for the conciliation proceedings, and fixed (with the concurrence of both the parties on consultation as to the date), the 15th December 1947 (morning) and intimated the parties. On that day, the Labour Association President, Mr. M. C. Narasimhan, the Management Representative, Mr. D. D. Kale (Labour Officer of the Mills) and the Assistant Commissioner of Labour were duly present. All the previous references, leading up to the present position were explained. At this stage, the Management representative raised a preliminary objection, which, in his own words, in writing, runs thus :

"The representation of the Association as now before us do not properly constitute an Association under the Act and Rules, as the Act and Rules require an Annual Election of the Managing Committee. No election have been held in the year 1947 and as such the Management cannot negotiate with the office bearers as they are, until an election is held and a new Managing Committee is elected."

12. In reply, the Association President stated that the objection is not tenable and that under the Rules, the Association representatives hold office until the next election. He has filed a written reply which runs thus:—

"The objection is with reference to the annual elections of 1947, a matter coming under the constitution and Rules of the Association and this is a matter to be raised by the members of the Association and this can't be used as an argument to withhold negotiations.

The annual elections though have not been held up to now, there is nothing preventing the Labour Department from holding elections before the end of December 1947.

And the perpetuity and continuity of succession of Association is a thing understood in the constitution and rules under the Labour Act, and as such when no election is as yet held for the year 1947, the existing Office Bearers must have the right to continue to represent the workers.

And even if the objection should go in, the negotiation cannot be withheld till the issue is settled.

Hence I pray that the objection be ruled out."

13. The Management objection and the Association reply were placed on record, and I held the view that this conciliation case proceeding is a continuing proceeding from what it was on the last date of hearing and that no such

objection was taken on that last date or in the initial stage and that the circumstances remaining the same what was valid then could not be invalid now, and that we might proceed to the consideration of the demands and ascertain the stand point on each side. At the request of the Management representative, who stated that he had an urgent engagement at the Minerva Mills in connection with the Government Minister's visit for negotiation purposes and that this case may be adjourned to the next day. I adjourned, after some discussion on both sides, to the next morning (16th December).

14. Accordingly, on the 16th instant, the items of demands in the Association's selected list of demands were considered both individually (one by one) and also collectively, and were discussed fully on both sides. The result is as described below :—

Demand No. 1 (re : *Privilege Leave set out above*)—The Management representative stated that there is the Management's offer (quoted above) and it is not possible for the Management to go further. The Association President said that the Association could not accept the offer as the number of privilege leave days allowed in other Mills in the State is more. The Association representative pressed the demand, but the Management representative could not concede.

Demand No. 2 (re : *Bonus set out above*).—The Management representative pointed out that the Management were already giving a Bonus of 10 per cent of the actual earned wages and had, in addition to that, given one month's bonus on the "Independence Day" this year after this demand was put up, and that the quantum of "Independence Day" Bonus paid by the Management was the highest in the State, and that, as such, it was not possible to accept the demand. The Labour representative stated that as the wages in the Mills were low and as the Mines in Kolar Gold Fields had paid a bonus of three months' wages and as the workers had incurred debts on account of the low wages, the demand of a bonus of three months' wages had been asked for, as a sort of compensation or consolation, and was necessary. The Management representative replied that the Management had paid War Bonus in addition to profit bonus and that, as such, the reasons put forth by the Association were not tenable. The Labour representative was not satisfied, and he pressed the demand. But the Management could not accept the demand.

Demand No. 3 re : *Provident Fund* (*set out above*).—The Management representative stated that the Management were prepared to introduce a "Provident Fund Scheme" in place of the present "Gratuity Scheme." The Labour representative was not satisfied, and he pressed the demand. But the Management could not accept.

Demand No. 4, re : *Sick Leave* (*as set out above*).—The Management representative stated that as the general question of "Sickness Insurance Benefit in respect of industrial labour" was engaging the attention of Government, the Management did not propose to take any action at present in the matter. The Labour representative replied that the Association could not wait till then and would press the demand. The Management pleaded their inability to accept the demand.

Demand No. 5 re : *Minimum Wages* (*set out above*).—The Association representative explained the demand and stated that the increment in wages referred to, referred to a general increment in respect of all the workers of all grades in the Mills. The Management replied that from 1st February 1947 (*i.e.*, after the Notice of Change), a general increase of 20 per cent on the basic wages had been granted and that, as such, the Management could not accept the demand. As regards the fixing of a minimum wage, the Management representative stated that the question is one to be settled best by a general authority under the Government auspices so as to be applicable to all Mills and that it should not, in the opinion of the Management, be left to a single Mill to fix the minimum wages. The Labour representative stated that the Association do not accept the argument in this respect and that nothing prevented the Management from considering the question of increment over the existing minimum wage. No agreement was possible. The Association representative pressed the demand, but the Management representative could not accept.

Demand No 6, re : *Dearness Allowance* (*set out above*).—The Management representative, in reply to the demands stated that the quantum of Dearness Allowance which the Management was paying was already the highest in the State, the present rate being 2½ annas per point of Bangalore cost of living index figures ; and that for November 1947 a Dear- figures was 270. He further stated that the rates of I Allowance were revised in November 1946, (*i.e.*, tl month in which the Association gave the Notice of C and that the workers got substantial increase. Fo reasons, the Management could not accept this deman Labour representative stated that 3 annas per point o of living index figure" was being paid in Madras a the same rate should be paid here also. The Mana could not agree. The Association representative pres demand, but the Management could not concede.

Demand No. 7 (a) re : *Reinstatement of Dismissed* (*set out above*).—The Management representative, in r the demand, stated that the workers dismissed in 194 been lawfully dismissed for valid reasons under the St Orders, after due enquiry, and as such, the Manageme not prepared to reconsider the question of reinstatem those workers. The Labour representative contende Government had, in respect of Government industri cerns, taken back the workers dismissed in 1942 distur and that the same treatment may be shown in respect workers of these Mills also. The Management repres said that it could not be agreed to. The Labour repre tive pressed the demand, but the Management cou accept.

Demand No 7 (b) re : *Reinstatement of 20 Member Association* (*set out above*).—The Management replied th workers dismissed were responsible for the strike and s measure of disciplinary action, those workers had to missed under the Standing Orders, and that it would be risk of discipline to take them back. So, the Manag could not accept the demand. The Labour represe differed and argued that those workers were not resp for the strike and that their reinstatement did not invol risk of discipline. To bring about a settlement, I sug whether the workers would express regret and tender ap The Association representative said that the question of or apology did not arise. Finally, the Management sentative stated that the reinstatement of those worker not possible. The Labour representative pressed the de but the Management could not accept.

Demand No. 8, re : *Procedure for Dismissals* (s *above*).—The Management representative in reply t demand stated that the suggestion made by the L Association in the matter was not acceptable, as i impracticable, and that the existing Standing Orders which dismissals are ordered were all settled by the Co sioner of Labour in consultation with the Labour Assoc and there was now no need for a change in the presen cedure. The Labour representative stated that the c asked for was necessary as the existing procedure wa beneficial to the workers and their interests. The M ment representative said, it was not possible to agree. Association representative pressed the demand, bu Management could not accept.

15. Finally, the Management representative state even these selected demands of the Association were so sive that the Management could not possibly concede He added that after the fullest examination in respect o of these demands, they had made the offer in their letter 27th August 1947 (referred to above), and that it w possible for the Management to go further. The Assoc representative replied that the demands were selected ar forward after full examination of the entire position and not be withdrawn or reduced (as already stated in their dated 15th November 1947 to the Management, refer above), and it was impossible for the Association to acce Management's offer or suggestion.

16. In the end, no settlement was possible, an Association President stated that as these selected de were made as a basis for further discussion and negoti with a view to come to a settlement and as there wa settlement possible now, the Association would revert t original demands in the Notice of Change, dated 22nd N ber 1946. The Management representative contended t a consequence of the original list of demands having by the Association, the original list of demands shou deemed to have been withdrawn by the Associatio replaced by the revised set of demands and that as such, was no question now of going back to the original den In any view of the case, the net position is that the M ment could not agree to any of the demands either original list or of the revised list.

All possible ways of settlement were explored, but ies did not come to any settlement in regard to the s.

The conciliation in regard to all the demands thus n failure, which I hereby report.

I request that this report may be published in the as required under sub-section (4) of Section 12 of the Labour Act.

I have the honour to be,
Sir,
Your most obedient servant,
NAVANEETHAM,
Chief Conciliator in Mysore.

APPENDIX "A".

ANNEXURE.

FORM E.

The Mysore Mills Labour Association,
Sharada Buildings, Sreerampuram,
Malleswaram, Bangalore City.
Dated 22nd November 1946.

The General Manager,
The Mysore Spinning and
Manufacturing Company,
Malleswaram, Bangalore.

Sirs,

n accordance with the provisions contained in sub- n (2) of Section 10 of the Mysore Labour Act, 1942, we y beg to give you notice that we desire a change in dance with statement appended in the annexure to orm.

Yours faithfully,
D. Sreenivasiah,
President.

1. *Labour Officer in the Mysore Spinning and ufacturing Company to be elected by labourers of the from amongst the staff.*—Aiming at making harmony good-will prevailing in the relationship between the agement and the labourers in the Mysore Spinning Manufacturing Company which at present has asing tensions owing to Mr. D. D. Kale, the most pular Labour Officer, the Mysore Mills Labour Associa- demands the immediate removal of Mr. D. D. Kale service in the Mills as Labour Officer and allow the rers themselves to elect every year a Labour Officer amongst the staff of the Mysore Spinning and Manu- ring Company who will hold office till the subsequent on or for a year whichever is shorter and such elected ur Officer shall have the same powers, privileges, salary, ance, etc., for the tenure of his holding office.

2. *Reinstatement of victimised workers since 1942.*— he unprecedent nation-wide massupsurge expressing nation against foreign domination was in every way nsible for the 1942 disturbances in Mysore. A political ntent through satisfaction of which alone all sections in ountry can live peacefully, had had its own varying s over the people. The workers of Mysore Mills were unawares by the country wide spontaneous political rst and were obliged to embrace untold miseries at and outside at a consequence. While the mass of ers in general suffered without wages for the duration of rike in August 1942 the militants amongst them suffered l hardships and preventions, several, underwent imprison- and most of them were dismissed by the Mill authorities ut even allowing them opportunities to explain. Such nt hunting went on for a long period and the Manages Mysore Mills not satisfied with the unjust dismissals, raged upon the meagre savings of these poor victims in rms of gratuity which they had earned to their credit of service in the Mills in addition to the wages, bonus, ances, etc., which were due to them. This Act of the gement has roused the indignation of the the workers otests have been lodged repeatedly with no consequence.

In view of the improved political situation in the of India in general and in Mysore in particular the e Mills Labour Association demands from the Manage- of the Mysore Mills.—

(i) reinstatement of all the workers who

(ii) the payment forthwith of the gratuity, bonus, wages, allowances and whatever other moneys due to them by the management up to the date of dismissal;

(iii) continuity of service be allowed in all such cases of reinstatement of dismissed workers.

(*b*) Further, the Management were not satisfied with the mass dismissals in 1942. They have been persisting in a policy of hunting the Union workers out who had escaped their wrath. For no reasons at all or for some insufficient reasons or other, these Union workers have been dismissed, their wages, allowances, bonus and other dues withheld. The Association, therefore, demand the immediate reinstatement of all such Union workers who have been removed from service since 1942; also demands the payment of all the moneys that were due to them.

(*c*) The Management are resorting to dismissals or discharges of workers for small reasons, if any, or no reasons at all, often even the Standing Orders are overlooked and sometimes twisted to their tastes. A few such instances are cited below:—

(i) Malla Setty, Spinning No. 1208, went to the latrine on 22nd August 1945 at 5 P.M. to ease himself. His going to the latrine was miscontrue by the Mill authorities and he was dismissed from service under the pretext that he was found loitering. If the Management had made specific provisions during working hours for the workers to ease themselves and charged the work for violation, it would have been something. He was a temporary employee and for no fault he was dismissed.

(ii) Rangamma has worked in the Mills in the waste-room. She has put in a service of over 20 years. Her whole family has worked to enrich the Mills for several years. Her husband was given a house in the Mill quarters and he has stayed on for over 25 years in the house. As he lost his eyes due to long service in the Carding Department, his services in the Mills were terminated without compensation and Rangamma, Waste-room No. 111, his wife, was asked to vacate the house by the Management. Because the Association stood by her, the house was not vacated. The Management wreaked vengeence on her by dismissing her on a false charge of theft.

(iii) Pit Colony workers are always kept an eye only the Management, as they are the Union militants. Populu who was working in Spinning Department, T. No. 853, was a member of the Executive Committee also when in the month of October 1945 plague broke out in pit colony. He obtained leave and went to his native place. He overstayed his leave days and came after plague subsided. He was not allowed to explain his case at all by the Management and in violation of the standing orders, which the Management quote too often as their scripture, they terminated the services of Populu for the only reason of overstaying the sanctioned leave days.

(iv) Ponnuswamy, Ringframe 1461, was not given his wages and allowances on the date. He approached the master for leave. The master refused to give him leave and used harsh words. He demanded his wages and allowances to be paid immediately. Even that was denied to him, though that day was the day of payment. The worker, whose needs and pressure of circumstances, the master did not and could not understand, retaliated; thereupon hot words were exchanged and Ponnaswamy was necked out saying that he did not work at all, which only provoked the poor worker beyond limits, when he was necked out by the master and he beat the master. The Management held an elaborate enquiry and dismissed him without giving him an opportunity to defend himself. If justice can be one-sided, as shown by the actions of the Management, the Association strongly holds that the dismissal is utterly wrong.

There are several such instances wherein the workers every rights are completely trampled upon and ignored by the Management.

The Association therefore demands that all such workers whose services have been dispensed with subsequent to 1942

3. *Security of service to employees*.—The trouble between any employer and the employees under him usually arises in connection with employment. If at least employment is secure or made secure, the other items like leave, wages and other items like leave wages and other social amenities become minor matters of adjustment mutually and will generally be settled by a policy of give and take between the employer and the employees. The refusal to continue employing any person by the employer due to causes other than force majeure becomes a serious threat to the very existence of the individual employee and a social menace as the dependents of the employee will be thrown on the streets. After once employing a person, the right of dismissing or discharging any person should not be vested with the employer.

Hence the Association strongly urges that—

(1) No employee shall be dismissed or discharged by the employer for any reason whatsoever except those due to force majeure.

(2) Dismissals or discharges due to force majeure will be on the basis of their services, those whose services are longer shall be more secure than those with shorter services.

(3) Those whose services have been once dispensed with by the employer shall have the right of re-employment in their original posts with continuity of service whenever new hands are entertained by the employer.

4. *Punishments to employees*.—Punishments for any offences committed by the employee shall be given only by a tribunal consisting of representatives of Management, Association and Government.

5 *Leave*.—The present method of giving leave to employees is very unsatisfactory. This is the main cause of large absenteeism. Hence the Association demands that a day's leave with full wages, allowances and bonuses for every ten days of work in the mills shall be given to every employee.

6. *Bonus*.—The Management are making huge profits but the workers are not given proper wages nor is there any sufficient incentive for the workers. Hence every worker shall hereafter be given three months' wages as bonus by the Management.

7. *Provident Fund for the benefit of the worker*.—The Mysore Mills has been all these years making profits beyond all proportions. Thousands of workers who drudge and sweat for the benefit of the mills are uncared for years of drudgery and loyal work too, have not assumed by employee in the mills either security of service or a service benefit sufficient to provide him means of livelihood after termination of service in the mills.

There are numerous instances frequently occurring wherein the workers after long service, when they are found weak or disabled, are thrown out of employment. Hence the Association with a view to allay the fears of workers and to provide them with some relief at least, however inadequate it may be, at times of emergency or termination or retirement from service, demands the immediate introduction of the Provident Fund scheme which is applicable to all classes of employees with the following provisions :—

(i) The contribution to the provident fund shall he made by the Management at the rate of two annas for every rupee earned by the worker including all allowances, bonuses, etc., while the worker himself shall contribute at the rate of one anna in the rupee he earns including all allowances, bonuses, etc.

(ii) The contributions to provident fund from the Management and workers shall be invested in the Mysore Mills Co-operative Society which will issue provident fund bonds to the workers for such periods as the worker may choose in accordance with the rules and bye-laws of the Society.

(iii) Any loan advanced by the Society to the provident fund bond holders on the security of the provident fund in his or her name, shall be collected by the Management of the Mills by deducting the instalments amounts every month from his or her monthly wages or salaries and crediting to the Society.

(iv) This provident fund scheme shall be brought into force immediately and the gratuity scheme now current shall continue inspite of the provident fund scheme being brought into force.

8. *Workers' Welfare*.—(*a*) Thousands of workers of the Mysore Mills are living in the most insanitary, dingy and congested places, in huts which are unfit for human habitation, by the side of ditches, sewage channels, etc. The ment are fully aware of it but have not done anyt improve their lot and thus the efficiency of the wo allowed to deteriorate which is a great social loss and i The Association recognising the seriousness of the s which, if allowed to continue further, will take a gr from workers through epidemics and other diseases; d that, in the best interests of the workers :—

(i) The attempt of the Management to secure No. 61 of Kethamaranahalli from the Ba City Municipality be stopped immediately

(ii) The Mysore Mills Co-operative Society or the Mills Labour Association be allowed to h above survey No. 61 of Kethamaranaball the Bangalore City Munic pality.

(iii) The amount of Rs. 3 lakhs set apart by the M ment for housing of labourers be lent interest to the Mysore Mills Co-operative for a period of fifty years.

(iv) Any dues from members of the Society by the house rent, ration dues, loan dues, collected by the Management from the and credited to the Society.

(v) All possible assistance shall be assured to the Mills Co-operative Society for building ho workers of the Mysore Mills.

(vi) The building in which the Mysore Mills Co-o Society's shop and office are run with t should be given to the Mysore Mills Association for Labours' Welfare and Ass activities.

(*b*) The workers not very infrequently complain al bad conditions under which they are forced to work ; s conditions give rise to various diseases from whi workers suffer. When they have to fight the disease t left alone and helpless and more often than not faci wrath of the Management for irregularity and the cons thereof, *viz.*, suspension, termination of service, fi They expose themselves to hellish hardships without and without proper medical aid. Hence the Ass demands that the Management shall take up the fo without delay to secure the ailing worker with sickne ances and medical aid :—

(i) Sickness insurance to be brought into forc monthly contributions of Rs. 1-4-0 per from the management and As. 12 from the nent worker, As. 8 from the temporary wor As. 4 from the occasional.

(ii) Irregularity in attendance should be condoned worker complains of ailments which do n under the category of diseases which enal to claim benefit of sickness insurance a worker absenting from work without per should not be liable to lose his job.

(iii) Sick leave of one month per year to every e with full wages and allowances shall b under ordinary circumstance when an e falls ill for a longer period on produ medical certificates from competent authority he should be allowed two more sick leave on half wages and allowances.

(iv) Free medical aid to be given to every ailing w the Management.

Minimum Wages to the Employees.—At present th paid to the workers are so low that a worker after for eight hours cannot have barely one meal a day f self, let alone his dependents. Hence considering worker has to maintain himself and his dependent fa Association demands that :—

(i) A minimum wage of one rupee shall be given worker for a day's work of eight hours.

(ii) There shall be an annual increase of 0-1-0 at the wages of each worker.

(iii) The piece rate workers shall be compensated ingly wherever necessary.

(iv) Those employed on monthly salary basis sh minimum of Rs. 30 per mensem as salary

Dearness Allowance.—War, inflation, hoarding, ing and black marketeering are the main causes disproportionate rise in the cost of living. The wor not adequately compensated at all though the Ma are provided all facilites to market their articles wit margin of profits. Hence the Association in vie abnormal rise in the cost of living and the inadequat allowance they are getting at present demands

ement shall give hereafter dearness allowance to the
s at the rate of four annas per point of rise in the cost
g index every month.

Thousands of labourers are working in the Mysore
In this Mills, which is working for several years past,
ges paid to the workers are very low. The labourers
ve been working under the clutches of the Manage-
ıave been reduced to the skeletons owing to exploita-
the Management and hard work. The Management
; at all interested in the welfare of the labourers even
they have made a profit of lakhs of rupees, many of
ɔourers are coming to the Mills from different places,
s, Sreerampuram, Labour Colony,, Nagappa Block.
the Management have to keep in view the welfare of
jority of the workers and afford the following facilities
iately :—

A new-gate behind the Mills shall be opened immediately at the Western side of the Mill, so that the labourers may conveniently enter into the Mills ;

The interval hour during day shift shall be increased from 1 hour to 1½ hours. As the interval is inadequate for the workers to go for food and return to the Mills, otherwise, the ladies and children have to bring their food near the mills. To avoid this difficulty as also to save the workers from trouble of running to their houses for food and get back to their work, the day shift interval has to be extended from 1 hour to 1½ hours.

A dining shed for taking meals has to be constructed outside the Mills in open place for the labourers who come from a long distance.

There shall be an establishment of canteens by the Mysore Mills Co-operative Society to provide clean, cheep and wholesome food to workers who are suffering without sufficient food. The Management will afford all the facilities to the Society in this behalf.

The Management, Municipality and the Government have to contribute money for running this canteen.

Many women workers are working in the mills,
nconveniences are indescribable. The wages paid are
v. They are very much oppressed. The Management
force, use absuive languages, refuse to grant leave,
unnecessary fines and other punishments to women
s, besides trying to find various illegal means to
he wages. There is much illtreatment also to the
while they are let in and let out of the Mills.
ment have not paid any attention to these difficulties.
n the interest of the women labourers, Management
provide the following facilities :—

The immediate appointment of Lady Welfare Officer essential to look after the welfare of the women labourers. Such officer must be empowered with powers of sanctioning leave, according punishments, and extracting work from the women workers.

Lady Supervisor only shall be appointed to supervise the work of women labourers.

There shall be a Lady Doctor and Midwife for examination and for necessary medical aid to the women workers.

The women labourers shall be left off from work every day half an hour earlier than the men labourers and besides, the following facilities and arrangements shall be made for their bath and cleanliness :—

a) There shall be separate bath rooms provided with water for women workers.

b) Though the women labourers have separate latrines they are not properly maintained. There is inconvenience as the men labourers are also using them. As the number of existing latrines is insufficient, the number must be increased and proper arrangements must be made to keep them clean and to prevent men labourers from going to the women lavatories. Hence the Management must give immediate attention to this matter.

) Management must supply with free of cost, a
ar soap, toilet soaps. combs to every woman
nce in a month and they must also supply two
nces of cocoanut oil once in week for every
man.

lanagement must supply one pair of sarees
one pair of jackets per year to every
an

(e) There shall be separate club-room for women to attend to their toilets, etc., during interval hour provided for bath and each woman shall be given a mirror.

(f) A training nurse shall be appointed to look after the welfare of the children in the creche and the milk must be supplied to them free of cost, besides there must be a Nursery School for boys who are above two years and below seven years. All these expenditure shall be borne by the Managment.

(10) (a) The period of leave granted to pregnant women according to the Maternity Benefit Act and Rules, shall be one and half months prior to delivery and one and half months after delivery. During these leave days they shall be given wages of annas eight per day or average daily wages whichever is greater. In addition to these wages they shall also be given dearness allowance, bonus, and gratuity. According to the Maternity Benefit Act wages shall be given for 26 days during which the pregnant women may absent from work. These wages shall be at eight annas per day or average wages whichever is higher. Dearness allowance, bonus and gratuity shall also be given in addition to wages. The same benefit shall also be granted to women in case of abhortion and one and half months' leave shall also be granted for a woman after abhortion. Pregnant women shall not be removed from work under any circumstances. The Management must provide free Medical Aid to pregnant women during pregnancy before delivery and after delivery and also in case of abhortion. No women shall be removed under any circumstances until six months after delivery. For maintenance of the children, allowance of Rs. 5 for a child shall be given to the mother until the child attains the age of two years.

(b) Any woman who is working in this Mill shall be entitled to enjoy the privileges of the Maternity Benefit Act irrespective of the period of her service in this Mill.

(11) For peaceful atmosphere to prevail the 30 Union workers and Office bearers must be taken back to work unconditionally and the suspension order dated 20th November 1946 against them cancelled.

5311 MOHAMED ISMAIL SHERIFF, *Gl. Secy.*

LAW SECRETARIAT.

Dated 20th January 1948.

No. Law 5230—Cts. 106-47-4. Under Sections 14 and 15 of the Code of Criminal Procedure, 1898, as applied to the Retroceded Area, Bangalore by Section 3 of the Retrocession (Application of Laws Act 1947) Act No. XXIII of 1947), Government are pleased to appoint Mr. M. Jagatheesan to be a Special Magistrate and a Member of the Bench of Magistrates for the Retroceded Area, Bangalore, for a period of two years from 23rd January 1948.

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Dated 22nd January 1948.

No. R. 7088—Muz. 137-47-3. The Board of Dharmadarsis of the Palace Muzrai Institutions is reconstituted for a period of three years from 1st October 1947 with the following gentlemen as Dharmadarsis :—

1 *Rajasevaprasakta* A. Subramanya Iyer, Esq., B.A., Mysore.
2 Dr. A. N. Narasimhaiah, M.A., L.T., Ph.D. (Lond.), Principal, Maharaja's Sanskrit College, Mysore.
3 M. S. Ramadasappa, Esq., B.A., Retired Amildar, Mysore.
4 T. Krishna Rao, Esq., Mysore.
5 Jyothisharatnam M. R. Ry, Karur Seshacharya, Palace Dharmadhikari, Mysore.

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Dated 22nd January 1948.

No. L. W. 5307—Cts. 139-47-2. Under Section 14 of the Code of Criminal Procedure, 1904, Government are pleased to appoint the following gentlemen as Special Magistrates for the Bench Court at Hassan with the powers of a Magistrate of the Second Class for a period of two years :—

Messrs—	Messrs—
1 H. D. Brahmadeviah	5 H. S. Venkatachala Setty
2 H. S. Dharanappa	6 M. S. Yogachar
3 H. D. Adirajiah	7 H. M. Khader Hussain
4 H. B. Siddappa	